

# The Town of Lake Park

Community Development Department

# CODE COMPLIANCE BOARD MEETING MINUTES MARCH 15, 2007 7:00 P.M.

#### CALL TO ORDER

The Code Compliance Board of the Town of Lake Park met in regular session on Thursday, March 15, 2007, in the Commission Chamber, Town Hall. The Meeting was called to order by Chairperson Desca Dubois at 7:02 p.m.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson Dubois.

# **ROLL CALL**

Code Compliance Board Members present were:

Desca Dubois, Chair Barbara Bursey, Co-Chair Genanne Doughty Robin Maibach Christina Catasus Jeremy Penchansky Alvin Feinstein

# Also in attendance:

Leonard Rubin, Special Magistrate
Greg Durgin, Code Compliance Officer
Doris Bainter, Code Compliance Officer
Kim Rowley, Code Compliance Administrative Secretary

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# **SWEARING IN OF WITNESSES**

Staff members, Respondents, and audience members wishing to testify before the Board were sworn in by Attorney Leonard Rubin.

#### APPROVAL OF MINUTES

A motion was made by Co-Chair Barbara Bursey to approve the minutes of the February 15, 2007, Code Compliance Board Meeting as submitted. The motion was seconded by Board Member Doughty and the motion carried unanimously.

#### VIOLATION CASES

Agenda No.	Case Number		Date Issued	Req'd Action
	2007-03-6	07010043	1/23/200	07

Owner

**Address** 

CARANCI ROSS A 829 GREENBRIAR DR Town of Lake Park FL, 33403

#### Description

Boat on blocks, expired 1998 decal, swale/sidewalk parking, commercial vehicle

#### **Violations**

Ordinance/Regulation	Section	<u>Description</u>	Days to Comply within issuance date
Chapter 10 ENVIRONMENT*	Sec. 10-73	Declaration of public nuisance.	10
Chapter 30 TRAFFIC AND MOTOR VEHICLES*	Sec. 30-35	Parking of commercial vehicles.	10
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	10

Officer Durgin presented the history of Case No. 07010043 at 829 Greenbrian Drive involving outdoor storage of a commercial vehicle and a boat/trailer, both without tags. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 19, 2007, failing which a fine of \$100.00 per day, per violation be imposed for every day the violations continue to exist thereafter. Additionally, administrative costs in the amount \$133.00 shall be paid within ten (10) days of the Hearing. Photos were submitted as evidence.

**MOTION:** Co-Chair Bursey made a motion to find the violation and to give the Respondent until March 19, 2007, to come into compliance, failing which a fine of \$100.00 per day, per violation shall be imposed and administrative costs in the amount of \$133.00 shall be paid within ten (10) days of this Hearing. The Motion was seconded by Board Member Maibach and carried unanimously.

Agenda No.	Case Number	Date Issued	Req'd Action	
	2007-03-5	07020009	2/5/2007	

Owner

Address

JACKSON ESTERLINE

855 DATE PALM DR Town of Lake Park FL, 33403

### Description

overgrown lawn, trash and fencing in disrepair.

#### **Violations**

Ordinance/Regulation	Section	Description	<u>Days to</u> <u>Comply</u> <u>within</u> <u>issuance</u> date
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54- 127	Sanitation requirements.	30
Chapter 78 ZONING*	Sec. 78- 115	Maintenance.	30
Chapter 78 ZONING*	Sec. 78- 253	Minimum landscape requirements.	

Officer Doris Bainter presented the history of Case No. 07020009 at 855 Date Palm Drive involving an overgrown lawn, trash/debris on property and fencing in disrepair. As of this date all violations, with the exception of the fence, have been corrected. Photos were submitted as evidence of the violations. Officer Bainter recommended that the Respondent be ordered to achieve compliance by no later than April 2, 2007, failing which a fine of \$100.00 per day shall be imposed for every day the violation continues thereafter. Additionally, administrative hearing costs in the amount \$154.75 shall be paid within ten (10) days of the Hearing.

MOTION: Board Member Maibach made a motion to find the violation and to give the Respondent until April 2, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$154.75 shall be paid within ten (10) days of this Hearing. The Motion was seconded by Board Member Bursey and carried unanimously.

Agenda No.

**Case Number** 

**Date Issued** 

Req'd Action

2007-03-1

07010032

1/13/2007

**Owner** 

**Address** 

KENNEDY KEVIN V 262 BAYBERRY DR Town of Lake Park FL, 33403

# **Description**

No permit for shed constructed on setback/property line

#### **Violations**

Ordinance/Regulation	Section	<u>Description</u>	<u>Days to</u> <u>Comply</u> <u>within</u> <u>issuance</u> <u>date</u>
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-100	Permits.	21
Chapter 78 ZONING*	Sec. 78-62	R-1A residence districts.	21

Officer Durgin presented the history of Case No. 07010032 at 262 Bayberry Drive involving a shed constructed on the property line without a permit and improper set-back of shed on property line violating set-back requirements. He informed the Board that the shed has now been dismantled. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than April 5, 2007, failing which a fine of \$100.00 per day, per violation, shall be imposed for every day the violation(s) continue to exist thereafter. Additionally, administrative costs in the amount \$130.00 shall be paid within ten (10) days of the Hearing. However, if the Respondent comes into compliance by April 5, 2007, administrative costs shall be waived. Photos were shown as evidence.

<u>MOTION</u>: Board Member Bursey made a motion to find the violation and to give the Respondent until April 5, 2007, to come into compliance, failing which a fine of \$100.00 per day, per violation, shall be imposed and administrative costs in the amount of \$130.00 are to be paid by compliance date. *However, if compliance is achieved by April 5, 2007, administrative costs shall be waived.* The Motion was seconded by Board Member Maibach and carried unanimously.

Agenda No.

**Case Number** 

**Date Issued** 

Req'd Action

2007-03-2

07010031

1/13/2007

**Owner** 

**Address** 

CAPPERS CHARLES

601 DATE PALM DR Town of Lake Park FL, 33403

Description

Cargo bin within setback

**Violations** 

Ordinance/Regulation

Section

Description

Days to Comply within issuance

<u>date</u>

Chapter 78 ZONING\*

Sec. 78-62 R-1A residence districts.

16

Officer Durgin presented the history of Case No. 07010031 at 601 Date Palm Drive involving a cargo bin within the side yard setback. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than April 5, 2007, failing which a fine of \$100.00 per day shall be imposed for every day the violation continues to exist thereafter. Additionally, administrative costs in the amount \$130.00 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

**MOTION**: Board Member Feinstein made a motion to find the violation and to give the Respondent until April 5, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$130.00 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Catasus and carried unanimously.

Agenda

No.

**Case Number** 

**Date Issued** 

Req'd Action

2007-03-3

07020014

2/7/2007

**Owner** 

Address

MAGRAS RENE A JR 710 W KALMIA DR Town of Lake Park FL, 33403

Description

Storage Pod on Driveway

**Violations** 

Ordinance/Regulation

Section

Description

Days to

Chapter 68 OUTDOOR STORAGE\*

Sec. 68-3 Outdoor storage for single-family and duplex sites.

10

Officer Durgin presented the facts of Case No. 07020014 regarding the outdoor storage of a "commercial storage pod" on the driveway at 710 W. Kalmia Drive. Officer Durgin said he spoke with the Respondent and she informed him that the storage pod would be removed prior to the compliance date. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 26, 2007, failing which a fine of \$100.00 per day shall be imposed for every day the violation continues to exist thereafter. Additionally, administrative hearing costs in the amount \$124.25 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

MOTION: Board Member Maibach made a motion to find the violation and to give the Respondent until March 26, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$124.25 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Feinstein and carried unanimously.

<b>Agenda</b>	No.	Case	Number
		2007-	03-4

**Date Issued** 07020065

**Req'd Action** 2/19/2007

Owner

Address

LEBLANC JEAN & LEBLANC JOSETTE

208 PALMETTO RD Town of Lake Park FL, 33403

#### Description

Electrical/meter box trouble

#### **Violations**

Ordinance/Regulation	Section	<u>Description</u>	Comply within issuance date
Chapter 54 BUILDINGS AND	Sec. 54-	Permits.	2
BUILDING REGULATIONS*	100		
Chapter 54 BUILDINGS AND	Sec. 54-	Facilities required.	2
BUILDING REGULATIONS*	122		
Chapter 54 BUILDINGS AND	Sec. 54-	General requirements for the exterior	2
BUILDING REGULATIONS*	125	and interior of structures.	
Chapter 54 BUILDINGS AND	Sec. 54-92	Unsafe residential buildings.	2
BUILDING REGULATIONS*		Ç	

Officer Durgin presented the history of Case No. 07020065, a duplex rental unit located at 208 Palmetto Drive involving an electrical/meter box problem (permit required for replacement), lack of a smoke detector system, and faulty windows. Officer Durgin indicated that this was a life/safety issue. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 19, 2007, failing which a fine of \$250.00 per day, per violation shall be imposed for every day the violation(s) continues to exist thereafter. Additionally, administrative costs in the amount \$140.25 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

<u>MOTION</u>: Board Member Catasus made a motion to find the violation and to give the Respondent until March 19, 2007, to come into compliance, failing which a fine of \$250.00 per day, per violation shall be imposed and administrative costs in the amount of \$140.25 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Bursey and carried unanimously.

Agenda	
No.	

**Case Number** 

Date Issued

Req'd Action

2007-03-7

07010004

1/3/2007

**Owner** 

Address

FRANCOIS CHRISTIANE

926 NORTHERN DR Town of Lake Park FL, 33403

Description

Prohibited outdoor storage.

# **Violations**

Ordinance/Regulation	Section	<u>Description</u>	Days to Comply within
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	issuance date 20

Officer Durgin reviewed the history of Case No. 07010004, a single-family rental home located at 926 Northern Drive, involving prohibited outdoor storage of a vehicle and building material. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 26, 2007, failing which a fine of \$200.00 per day shall be imposed for every day the violation continues to exist thereafter. Additionally, administrative hearing

costs in the amount \$133.00 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

**MOTION:** Board Member Penchansky made a motion to find the violation and to give the Respondent until March 26, 2007, to come into compliance, failing which a fine of \$200.00 per day, per violation shall be imposed and administrative costs in the amount of \$133.00 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Feinstein and carried unanimously.

Agenda No. Case Number

Date Issued

Req'd Action

2007-03-8

07010044

1/23/2007

Owner

#### **Address**

EAST BALD EAGLE

LLC Tttn: John

730 W ILEX DR Town of Lake Park FL, 33403

Brown

# **Description**

No tag, Ford van.

#### **Violations**

			<u>Days to</u>
			Comply
Ordinance/Regulation	Section	<u>Description</u>	<u>within</u>
			<u>issuance</u>
			<u>date</u>
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	1

Officer Durgin reviewed the history of Case No. 07010044, a single-family rental home located at 730 W. Ilex Drive, involving prohibited outdoor storage of a Ford van with no tag. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than April 5, 2007, failing which a fine of \$100.00 per day shall be imposed for every day the violation continues to exist thereafter. Additionally, administrative hearing costs in the amount \$130.00 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

**MOTION:** Board Member Doughty made a motion to find the violation and to give the Respondent until April 5, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$130.00 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Feinstein and carried unanimously.

# OTHER BUSINESS ITEMS

Chair person Dubois announced that there are openings for Code Compliance Board members and encouraged citizens to help serve their community by volunteering at the Town.

# **ADJOURNMENT**

There being no further business items to come before the Code Compliance Board, the Meeting was <u>adj</u>ourned at 7:45 p.m.

Desca Dubois, Chair

Attest:

Kimberly B. Rowley, Code Compliance Becretary

Approved on: 4/19/7007